

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**SYBASE, INC.  
Plaintiff**

**vs.**

**VERTICA SYSTEMS, INC.  
Defendant**

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**CASE NO. 6:08 CV 24**

**ORDER**

Before the Court is Jonathan Lee Riches Notice of Appeal (Docket No. 42), which was also docketed as a motion for certificate of appealability. The notice was filed before the denied Riches's frivolous motion to intervene. The certificate of appealability is equally frivolous and is **DENIED**.

**So ORDERED and SIGNED this 2nd day of July, 2009.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE**